



Vere dignum

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**7
The Old Regime
and the French
Revolution**

Edited by Keith Michael Baker

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After the Terror

It was to be another year, marked by anti-Terrorist purges and new acts of popular violence, before the stormy existence of the Convention finally ended with the adoption of a new republican constitution entrusting executive power to a five-man committee of directors. Neither royalist reactionaries nor radical republicans were prepared to accept the political and social stabilization that was the aim of the Directory, however, and its history added important new forms of action still fundamental to the modern repertory of revolution. In 1796, in a dramatic attempt to impose sans-culotte ideals, a group of conspirators led by Babeuf plotted a new kind of revolution that would overthrow the government by planned insurrection, using the apparatus of the centralized state to organize an egalitarian and communistic social order. Although this "Conspiracy of the Equals" was betrayed and suppressed, it was to exert a significant influence upon the imagination of many nineteenth-century socialists and revolutionaries.

The Directory, however, apparently had more to fear from the resurgence of royalism. When the 1797 elections resulted in a right-wing majority in the legislative councils, three of the directors purged the remaining two and expelled the royalist deputies in a military coup (the coup of 18 Fructidor) arranged with the support of the French commander in Italy, Napoleon Bonaparte. Two years later, with the coup d'état of 18 Brumaire 1799, Bonaparte acted to replace the weakened Directory. Not for the last time, a military coup claimed to bring revolution to a definitive close. The constitution announced on 25 December 1799, and accepted by the French people in a plebiscite the following February, combined revolutionary principles with the practice of authoritarian rule. Five years later, after another plebiscite, Napoleon was declared Emperor of the French and the imperial succession vested in members of his family. The final selection of Napoleonic documents indicates the zeal with which this son of the French Revolution resumed the tradition of absolute monarchy laid down by the Bourbons.

Reflections on the French Revolution

The volume concludes with selections suggesting the reorientation of European political and social thought that occurred as contemporaries struggled to comprehend the true nature and meaning of the extraordinary events of the French Revolution, to understand their implications for human action and association, and to grasp their consequences for the character of the state and the fabric of civil society.

1

The Old Regime

Social and Cultural Foundations

1. Loyseau, *A Treatise on Orders*

Charles Loyseau (1564–1627), eminent jurist and legal scholar, wrote a series of treatises on French public law that gave powerful expression to the impulse to consolidate social order in the wake of the Wars of Religion. Born near Paris, Loyseau followed his father into the legal profession. He served as a lawyer in the highest royal court, the Parlement of Paris, and as judge in important local and seigneurial courts. First published in 1610, the *Traité des ordres et simples dignitez* is Loyseau's most comprehensive theoretical work. His systematic account of the legal forms and moral principles underlying the traditional social order remained authoritative until the very end of the Old Regime.

Foreword

It is necessary that there be order in all things, for their well being and for their direction. The world itself is thus designated in Latin, on account of the ornament and the grace of its admirable disposition. . . . Inanimate creatures are all placed according to their high or low degree of perfection: their times and seasons are certain, their properties regulated, their effects assured. As for animate creatures, the celestial intelligences have their hierarchical orders, which are immutable. And in regard to men, who are ordered by God so that they may command the other animate creatures of

From *Les oeuvres de maistre Charles Loyseau* (Paris, 1666). Translation by Sheldon Mossberg and William H. Sewell Jr., revised and expanded for this volume by the editor, Keith Michael Baker.

this world here below, although their order is changeable and subject to vicissitude, on account of the particular liberty that God has given them for good and for evil, they nevertheless cannot exist without order.

Because we cannot live together in equality of condition, it is necessary that some command and others obey. Those who command have several orders, ranks, or degrees. Sovereign lords command all within their state, addressing their commands to the great; the great [address their commands] to the middling, the middling to the small, and the small to the people. And the people, who obey all of the others, are themselves separated into several orders and ranks, so that over each of them there are superiors responsible for the whole order before the magistrates, and the magistrates to the sovereigns. Thus by means of these multiple divisions and subdivisions, the several orders make up a general order, and the several Estates a state well ruled, in which there is a good harmony and concordance, and a correspondence and interconnectedness from the highest to the lowest, in such a way that through order a numberless variety is led to unity. . . .

How could a general of an army be quickly obeyed by all of his soldiers, if the army were not divided into regiments, the regiments into companies, the companies into squads; if the command of the general were not carried at once to the staff officers, by them to the captains, by the captains to the corporals, and by the corporals to the simple soldiers, the lowest soldier of the army thus being notified in a very short time? But the effect of order is yet more admirable in a state than in an army. For the army is compressed into a small place while the state ordinarily extends over a great country. The entire army lasts but a short time while the state endures almost forever. And that is the work of order. For the king is attended by his general officers, who send his mandates to the provincial magistrates, who send them to the city magistrates, who see that they are obeyed by the people.

Thus it is for those who command and also for the people, which obeys. Since the people is a body with several heads, it is divided by orders, Estates, or particular occupations. Some are dedicated particularly to the service of God, others to protecting the state by their arms, others to nourishing and maintaining it through peaceful occupations. These are our three orders or Estates General of France: the clergy, the nobility, and the Third Estate. But each one of these three orders is again subdivided into subordinate degrees, or subalternate orders, following the example of the celestial hierarchy. . . .

The degrees or subalternate orders of the clergy are sufficiently well-known. For in addition to the four minor orders and that of the tonsure, there are the sacred orders of subdeacon, deacon, priest, and bishop, to which may be added the order of cardinals and the various other orders of monks. The degrees of the nobility are the simple nobility, the high no-

bility, and the princes. Finally, as for the Third Estate, which is the largest, there are several orders: men of letters, financiers, merchants, artisans, husbandmen, and laborers. Most of these, however, are mere occupations rather than constituted orders.

Chapter I. Of Order in General

. . . The order to which this book is dedicated is a species of dignity, or honorable quality, which pertains to a number of persons in the same manner and under the same name. It does not in itself confer upon them any particular public power. But besides the rank that it gives them, it also brings a particular aptitude and capacity to attain either offices or *seigneuries*. . . . In French it is particularly called Estate, as being the dignity and the quality which is the most stable and the most inseparable from a man.

As for its definition, order may be defined as *dignity with aptitude for public power*.

For as I have said [elsewhere], there are three kinds of dignity: office, *seigneurie*, and order. They are related not only in terms of what they have in common, namely dignity, but also in terms of what makes them different, namely public power, in which they each participate differently. For office implies the exercise of public power, which is why I have defined it as *dignity with public function*; *seigneurie* implies ownership of public power, which is why I have defined it as *dignity with possession of public power*; and, finally, order implies only aptitude for public power, which is why I have defined it as *dignity with aptitude for public power*.

For example, membership in the order of the clergy does not in itself confer any public power, but it nevertheless renders those who are honored by it capable of benefices and ecclesiastical offices. Similarly, nobility is an order which is not in itself a public charge, but which gives its members a fitness for several high offices and *seigneuries* assigned to the nobility. Similarly, to be a doctor or licentiate in the law is not an office, but it is an order necessary to attain offices in the judiciary. Hence the office follows the order, and is conferred upon those who are of the order to which it is assigned. . . .

There is yet another well-marked difference between order and office, which is that office is something positive which can subsist without anyone filling it, and that it can pass from one person to the next without being lost or reduced to nothing. In brief, office seems to fall under the category of substance. Order, on the contrary, has nothing positive about it; it is not a substance which exists of itself but is a simple accident and comes under the category of quality. It is a simple quality, inseparable from the person and perishing with it, and in no way transmissible to another. . . .

For example, the offices of bailiff, lieutenant, and king's attorney con-

time to exist without anyone filling them; they do not perish when the officeholder dies or resigns, but simply change hands. But the quality of priest, or knight, or licentiate in the law is born and dies with the person, as it is the characteristic of the accident to die with its subject. And though after the death of a knight another be put in his place, it is not the same individual quality that is passed on to him, but another of the same kind. . . .

Thus, to pursue the nature of order in general, one must consider in the first place that, as order is more inherent and inseparable from the person than is office, forming the Estate of the person and imprinting upon the individual a perpetual character, more solemnity is ordinarily required to confer it than office, and more formality to take it away. . . .

In all times, however, those whom one has wished to admit to orders have been examined or otherwise had their capabilities tested. . . . We see that there are a great number of ceremonies for conferring all kinds of orders, whether ecclesiastical, sacred, or non-sacred, and for conferring religious orders (namely, the novitiate and the priesthood). To make knights, there are still other ceremonies which are completely different. And if there are no ceremonies to make princes and gentlemen, it is because these are irregular orders since they come from birth and not from any particular grant. In short, there are certain solemnities necessary to make licentiates and doctors, advocates and attorneys, and even masters of the trades.

Moreover, each order ordinarily has its particular mark, insignia, or visible ornament, which is solemnly displayed upon reception. . . .

As the ancient citizens of Rome had the toga, so now all of the clergy wear the long robe, which according to the ceremonial of the Roman Church . . . must be publicly vested on those receiving tonsure, which signifies entry into ecclesiastical orders. Because this mark of the long robe is common to ecclesiastics and men of letters, ecclesiastics (at least those belonging to sacred orders) bear as their particular mark the tonsured head. . . .

Besides this general mark, acolytes and other clerics of the four minor orders wear the surplice or the white robe. . . . Subdeacons have the phanion as the mark of their order, deacons have the stole, priests the chasuble, bishops the mitre, the staff, the gloves, and the ring; cardinals have the hat or bonnet and the scarlet robe. . . . Monks have a larger crown or tonsure than secular clerics. Thus Jesuits, who are half monks and half secular clergy, have a tonsure of medium size . . . and in addition each order of monks has its distinctive habit, not only from one order to another, but also from the novices to the fully professed members of the same order. Among the nobility, simple gentlemen have their formal coats of arms, while knights have their spurs and gilded harnesses (at least that used to be

their particular mark, but now only those have them who can afford them). The orders of knights have the gold chain or some other mark of their order. In addition, princes have the prince's cloak, which it is fitting that they should always wear.

Among commoners, doctors, licentiates, and bachelors have hoods of diverse sorts, according to the faculties to which they belong, as well as the long robe which they wear in common with ecclesiastics. Lawyers have the cornet, attorneys have only the long robe. . . .

Aside from these external ornaments, two other prerogatives of honor come from orders: title and rank. In regard to title, it is well-known that one may assume the title of one's order and add it to one's name, rather than the title of one's office. For order inheres more in the person than office. This is why the title of the order remains after one's resignation . . . while the title of the office is given up. Also, the title of the order must always be put immediately after one's name and before the title of the office, because the office is most often conferred in consequence of the order to which it is assigned, as has just been explained. . . .

As for rank, which is the prerogative of taking priority in sitting or marching, it is certain that orders produce it principally, even more so than do offices, as the very name of order denotes and signifies. . . .

In France, the three Estates have their order and rank one after the other, the ecclesiastical order being first, followed by the nobility, and the Third Estate last. This is true even though there are no statutes to this effect, because laws are scarcely made in matters simply of honor. But the ranks are willingly observed through honor, and certainly they are more honorable when they come from a voluntary respect. . . . For honor and love are two things so sublime and exalted that they cannot be commanded; nor can they be obtained with good grace by force; nor can any action assure them. If one thinks one possesses them by force, this is not love but fear and subjection, not honor but tyranny and oppression. . . . As love is necessary to the world, so are honor and rank; otherwise there would only be confusion among us. But it is necessary to earn both by merit, and maintain them by gentleness.

Thus since the ecclesiastical order is the first among us, it appears that even the least priest, even the lowest tonsured cleric, should take precedence over the greatest gentleman of the court (I refer here to private persons; those whose office gives them a particular rank are another matter) not because of his individual merit, but for the sake of his order and for that of God whose minister he is. . . . But because the ecclesiastical order is considered an exceptional and extraordinary order in the secular domain, our Redeemer having said that his realm is not of this world. . . . it is commonly observed at present that those who enjoy some secular dignity

do not wish to give place to priests unless they have an ecclesiastical dignity.

Similarly, I say that the least gentleman must take precedence over the richest and most honorable member of the Third Estate, speaking of course of private persons and when it is only a matter of rank among orders; but since the dignity of office is greater, and even enhances that of order inasmuch as order is ordinarily required to hold office, it becomes a difficult issue when a commoner who holds office disputes precedence with a gentleman who does not. . . .

As for the power of orders, they ordinarily have none, their principal point of differentiation from offices being that they have no power of public administration. However, there are some orders that have a body and a particular college, which sometimes have the privileges of making statutes and electing superior officers, who in turn have powers of correction over the whole body, as in the case of the craft guilds [*corps de métiers*]. . . .

It remains to speak of the loss or deprivation of order, which cannot properly be called "vacating" it because order, at least the individual quality of the person deprived of it, is completely lost and does not remain vacant, as an office or benefice does, to be transferred to another. This is why order is more difficult to lose than office, either by resignation or by forfeiture. In the case of death, which negates everything, there is no difference.

In regard to resignation, it is well-known that order is not resignable. A priest does not resign his order to another, neither does a knight, nor a licentiate in the law, nor an advocate. . . . For an obvious example of how order is not lost by demission or resignation, consider that a bishop who resigns his bishopric still retains the episcopal order: he can in no way resign from it, nor otherwise separate it from his person. And lest it seem that this be a particular characteristic of sacred orders, it is shown [elsewhere] that those admitted to ennobling offices remain noble after resigning their offices. . . .

As for deprivation by forfeiture, it is likewise neither as common nor as easy in the case of order as of office or benefice. . . . When a bishop is deprived of his bishopric, or a priest of his benefice, he is not however deprived of his order; when a gentleman is deprived of an office, he does not thereby lose his nobility; when a judge forfeits his office, he nevertheless remains an advocate, licentiate in the law. . . .

In France, the order of knighthood is lost by infamy, because every stain is strictly contrary to it. . . . But as for other orders, whether ecclesiastical, noble, or of the Third Estate. . . they are not forfeited by infamy alone, nor even as a consequence of another punishment: it is necessary

that one be formally sentenced to deprivation of order, and in the sacred orders of the Church an actual degrading is required in addition to formal deprivation. . . .

If, therefore, after a sentence prescribing deprivation of order, the ornaments of the condemned are sometimes publicly removed, this is done either to increase the shame of the sentence, or (more importantly) to avoid insult to the order when the condemned is executed. . . .

Chapter III. Of the Order of the Clergy

. . . In this Christian kingdom, we have bestowed on God's ministers the first rank of honor, rightly making the clergy (that is to say, the ecclesiastical order) the first of our three Estates of France. . . . In nearly all the states of Christendom the clergy are similarly constituted as a distinct order, as in France, which has always been more Christian and has honored the Church more than any other nation on earth. . . .

As in the case of each of the three orders or general Estates of France, there are among the clergy several degrees, or subalternate and partial orders subordinated one to another. While the clergy as a whole is generally divided into secular and regular orders, there are a number of secular and a number of regular orders. . . .

Let us begin by considering the secular orders. The tonsure is the entrance into all ecclesiastical orders, that which makes a man a cleric and distinguishes the clergy from the people by the shaving of the hair. . . . The tonsure is public evidence that one has dedicated oneself to God, renouncing and rejecting the extravagances of the body, notably the hair, which being an upper part of the human body has customarily been adorned and embellished by those in the world. . . .

Next come the four minor orders . . . porters, lectors, exorcists, and acolytes. Then come the three sacred orders of subdeacons, deacons, and priests. Above all these, there is the order of bishops, which is divided into bishops, archbishops, and primates or patriarchs. Finally, there is the order of cardinals which, while it differs from the other orders in having no particular consecration, yet is still more an order than an office. . . .

Unlike the secular orders of the clergy, which are distinguished by degree one above the other, the regular orders are completely different and separate from each other. In my opinion, they may be divided into five: hermits, monks, regular canons, mendicants, and the military orders.

I have put hermits first because they are the oldest. . . . In imitation of Saint John the Baptist, they took themselves into the desert to devote themselves more freely to a life of contemplation. . . . Hermits have never been

bound to the three vows . . . Likewise, they have no fixed rule of life, but instead frame it more or less strictly for the purposes of their devotions, even quitting it entirely when they so wish. . . .

I call monks those who have a fixed rule of communal life. . . . The rule seems to have been introduced into Christianity in imitation of the Essenes, who were a very devout sect of Jews . . . and first practiced by Saint Anthony in Thebes, Saint Benedict in Italy, and Saint Basil in Greece. The latter was the first to bind monks to the three vows that we deem essential to our religion: obedience, chastity, and poverty. In short, we mean a resignation and renunciation, made for the honor of God, of the three kinds of goods with which men are endowed in this world: obedience concerning the soul, chastity concerning the body, and poverty concerning worldly goods. There are so many orders of monks, that is to say so many different rules, that it would be long and trying to discuss them all. . . .

Because monks were prevented from carrying out ecclesiastical functions outside their monasteries . . . Saint Augustine organized for the religious life the priests at his church in Hippo who were charged with the administration of sacraments and other ecclesiastical functions. He called them not monks but canons, that is to say subject to a certain rule of life that was a mixture of clerical status and the pure monastic existence. . . . [The order of canons] was found so useful and so honorable that there was soon no cathedral without its canons. From this first institution, canons lived in the same way as the monastic orders, binding themselves to the three vows and even living a cloistered existence. . . . But little by little, their opulence led them to relax this austerity, to dispense with the poverty of sharing ecclesiastical goods, and thus with obedience, and thereby to convert their order into a benefice. Consequently, those who have remained committed to their initial institution and still observe the rule of Saint Augustine are named *regular canons*, to distinguish them from those who no longer observe their rule, and who are therefore called *secular canons*. . . . Next come the orders of mendicants who, besides the vow of poverty (which affects monks only as individuals, since in common they may hold as many possessions as they may acquire) have vowed to beg: that is to say, to live on alms. . . . As a result, having vowed mendicity both individually and in common, their order is incapable of possessing any buildings.

Last among the regular orders are the military orders, either the Knights of Saint John of Jerusalem, whom we call the Hospitallers or the Knights of Malta, or the Teutonic Knights . . . or others of a similar kind. . . .

Chapter IV. Of the Order of the Nobility in General

Among the various plants and animals, nature itself has made this distinction: of a single species, some are gentle and domestic, while others are hardy and wild. These qualities are retained infallibly from their generation, so well, in fact, that the wild ones can never produce domestic ones nor the reverse. Likewise, it is natural that plants and beasts retain the characteristics of their semen because their vegetative or sensitive soul proceeds absolutely from a physical source (*a potestate materia*, as the philosophers say). But the rational soul of men, which comes directly from God who creates it when he sends it into the human body, does not have any natural participation in the qualities of the generative semen of the body to which it is joined.

This is why I am astonished to see how nearly all of the most noted philosophers and poets, ignoring this difference in souls, fancy that there are certain secret principles of virtue transferred from fathers to children by generation. Take, for example, the reasoning of Socrates, who concluded that as the most noble apples, grapes, or horses were the best, so it would be for men of the most noble race. And Aristotle (in the *Politics*, book 3, chapter 8) says that among all nations nobility is esteemed and honored because it is probable that he is excellent who is born of excellent parents. He therefore defines nobility . . . as virtue by birth. . . .

But this analogy [with the world of plants and animals] is false and misleading, for we often see that the children of good men are worthless and those of learned men ignorant. . . . If sometimes the good morals of children seem to conform to those of their fathers, this is not the result of generation, which contributes nothing to souls, but rather the result of education. In this respect, indeed, the children of good families have great advantages when it comes to virtue. This is true because of the careful instruction they receive and the continuous and weighty example of their fathers, and because of their obligation not to demean or belie their blood; and finally because of the respect and good reputation that the memory of their ancestors has gained them.

In any case, either because they are presumed to be the inheritors of paternal virtue, or because one wishes still to reward in them the merits of this virtue, those who have issued from good blood have been esteemed above others in all the nations of the world, and in all times. They have even been constituted as a separate order and been given a degree of honor which sets them apart from the great majority of the people. . . .

[In France] we have . . . that nobility which derives from ancient blood, and that which derives from dignities. The first has no beginning, the sec-

ond has a beginning; the first is original, the second acquired. We tend to call the latter *nobility* and the former *generosity* or *gentility*, just as we commonly distinguish between noblemen and gentlemen.

To discover the origin of this gentility, or ancient and immemorial nobility, it is necessary to consider that as the Athenians and the Romans first divided their people into patricians and plebians, so from the first establishment of this monarchy, its people were divided into gentlemen and commoners, the one group destined to defend and maintain the state, either by counsel or force of arms, the other to nourish it by working the soil, engaging in commerce, or practising the crafts. This division has continued up to the present time. . . .

Alternatively, the nobility of France had its origin in the ancient mixture of the two peoples who came together in this kingdom, that is to say, the Gauls and the Franks who conquered and subdued them without attempting to exterminate or drive them away. But the Franks retained this prerogative over the Gauls, that they alone would hold public office, bear arms, and possess fiefs without having to contribute anything either to the lords of particular localities or to the sovereign for necessities of state. Instead, they were obliged only to fight in wars.

As for the conquered people, they were reduced to a condition of partial servitude. . . . In addition to being in this condition of partial servitude, and being incapable of holding offices, bearing arms, or possessing fiefs, the people were also required to pay the *seigneur* a tribute or land tax, and occasionally to provide taxes for the unusual needs of the state. . . .

Now as the two races mixed and adapted to one another, this initially rigorous exclusion of commoners from holding offices, bearing arms, and possessing fiefs did not continue so strictly. But some vestiges of it still remain. In the case of offices, the principal ones, such as the crown, those in the king's household, and provincial governorships, may only be held by gentlemen. In the case of arms, commoners are not admitted into heavy cavalry regiments, and were not in earlier times allowed to hold important commissions in the infantry. In the case of fiefs, they are still ineligible to hold the principal fiefs and seigneuries, and as for simple fiefs, they must still pay the tax of *franc fief* for the right to hold them. But gentlemen have carefully guarded the liberty of exemption from any subsidies or obligations other than joining the king in war. . . .

Nevertheless . . . our ancient and immemorial nobility, whose beginnings are unknown, does not derive from right of nature, as does liberty, but rather from the ancient law and arrangement of the state. . . . Nobility is not simply a particular privilege, contrary to the common law, but has its origin in a public and general law and proceeds from means established to this effect long ago in each country. Accordingly, it is of much longer dura-

tion and is more firmly held than are simple privileges. This is a fundamental point, the basic for deciding an infinite number of questions that arise in this matter.

All this is true of that nobility ("gentility") which exceeds the memory of man. As for the nobility whose origins may be determined, in France it comes from ennoblement by the prince, who is ordained by God to distribute the substantial honors of this world. . . . The prince may ennoble in two ways: by means of a letter written expressly to this end, or by grant and investiture of offices and *seigneuries* that carry nobility with them, and in which the nobility that derives from dignity properly consists.

This ennoblement purges the blood and the posterity of the ennobled of all stain of commonness, raising him to the same quality and dignity as if his race had always been noble. . . . Nevertheless, because . . . this abolition of servitude or commonness is only an effacing of a mark that remains, it seems more of a fiction than a truth, since the prince cannot reduce being to nonbeing. . . .

Accordingly, in the common opinion, those ennobled either by royal letter or by the dignity of office are less esteemed than nobles by blood, although in fact they enjoy all the same privileges. . . . That is why in France we are so interested in hiding the origins of our nobility, so that we may reduce this type of nobility to that of the immemorial sort. . . .

We have three degrees of nobility in France: simple nobles, whom we call *gentlemen* and *esquires*; high nobles, whom we designate as *seigneurs* and *knights*; and those of the highest degree, whom we name *princes*. Each of these three degrees of nobility has its own effects. For simple nobility affects the blood and passes on to posterity in such a way that the older it is the more honorable it becomes. High nobility does not descend to posterity, at least in the same degree, but rather it is personal, being conferred upon the person for his particular merit, such as knighthood (which is a perfect order that perishes with the person), or by reason of his office or *seigneurie* (and in the latter case, it perpetually follows the office or *seigneurie*). Finally, princehood can come only from blood, but resides there in a manner opposite to that of simple nobility; for it is of a higher rank according to its recentness and its nearness to its source.

Chapter V. Of Simple Gentlemen

The true rights of the nobility are as follows. First, as to power, it has been said in the first chapter that orders have no particular power, as offices have, but that they only produce an aptitude for offices, benefices, and *seigneuries*. This is confirmed above all in the order of the nobility, to which several of the latter are particularly assigned.

The offices assigned to the nobility are, first, all the principal offices and many of the subordinate offices in the king's household: namely, those of the Gentlemen of the Chamber, of the One Hundred Gentlemen, of Gentlemen Servants, of the Squires of the Stable, of the Gentlemen of the Royal Hunt and of the Falconry, and several others. . . . It is the same for all the principal military charges, from command of cavalry regiments to simple service in the heavy cavalry. . . . And as for infantry captains, gentlemen are also preferred; as, likewise, the edicts regulating nomination to the judicial offices maintain that gentlemen rather than commoners will be preferred.

As for benefices, although the ecclesiastical order is distinct from the order of the nobility, there are several cathedral churches, even several abbeys, where the dignities and even places as simple canons and monks are assigned to gentlemen. In general, however, gentlemen are favored in the Church by dispensations waiving requirements as to age, plurality of benefices, and even time of study required in order to become a doctor or a master.

Finally, in regard to *seigneuries*, it is claimed that all fiefs, since time immemorial, have been allotted to the nobility, and that commoners are today capable of receiving them only by dispensation, for which they pay the King the subsidy of *franc-fiefs* (which is to say, assigned to the free and gentlemen). However that may be, it is still true today that gentlemen alone are capable of holding either great or middling *seigneuries*. Thus the king's attorney, and even a higher *seigneur*, can constrain a commoner to give up a fief that has not been expressly invested in him by the king. . . .

So much for power. As for the honor pertaining to nobility, since it is the true effect of orders to produce honorable rank, as their name denotes, it is altogether reasonable that the nobility, which risks its life for the defense of the state, be honored by the people as its protector. Consequently, it is an established right among us that members of the order of the nobility outrank and take precedence over members of the Third Estate. There are only two exceptions to this rule, both of which concern offices with established rank. In the first place, those who are magistrates take precedence accordingly over gentlemen, as a result of the power of command which they have over them. Thus all those who reside within a magistrate's jurisdiction can be called his judicial subjects since he has the power of judging their goods, their honor and their life, as the case may be. In the second place, those who hold ennobling offices, such as the officeholders in the sovereign courts, the *secrétaires du roi*, and others of the same type, must always take precedence over simple gentlemen by blood, because in addition to being noble like the latter, they are also officers of the king; they thus have public power and an excellent function, which simple gentlemen do not.

As for other marks of honor, nobles have the right to call themselves Esquire and to bear coats of arms, even if they are men of the city and of the long robe, ennobled only by their offices. Moreover, all nobles (except those of the long robe) have the right to carry a sword as the ornament and sign of nobility, and in France they are even entitled to wear it in the king's own chambers. . . .

It is a matter of debate whether commoners are formally obliged to salute nobles, as the latter believe, even though the contrary is true. For . . . the salute is a recognition and obligation of subjection, which is formally owed only by subjects to those who command them, either by right of possession (as their *seigneurs*) or by the exercise of public function (as their magistrates). As a matter of honor and propriety, a salute is given to members of the high nobility, namely great lords and holders of high office, and all those entitled to call themselves knight; and from this same sense of propriety, we salute senior members of our families. But the most well-bred and cultivated among us salute all honorable persons, just as they salute family members of equal rank, and friends, as a matter of simple civility and courtliness. But these latter actions belong to the domain of manners, not law.

As for profits and pecuniary emoluments, it has been said above that there are none that pertain purely to orders as such. But the privileges of the nobility are yet very great. They include exemption from the *taille* and all other personal taxes levied for purposes of war.¹ It is certainly a very reasonable privilege that those who contribute their lives for the defense of the state be exempt from contributing their goods. For the same reason, gentlemen are exempt from lodging soldiers in their homes. . . . Gentlemen also have the privilege of hunting game in authorized places, seasons, and manners, a privilege which is justly denied to the common people for fear that it would lead them to abandon their ordinary employment to the public detriment. The hunt has also for good reason been limited to the nobility, so that nobles can maintain in peacetime an exercise resembling war. . . .

It is another privilege of gentlemen that when they commit a crime, they are not punished as rigorously as the common people. . . . This is true in terms of the severity of judgments and the nature of punishments (there are some punishments to which gentlemen are never condemned, such as hanging and flogging; on the contrary, common people are never decapitated. . . .). It is also true that nobles receive grace and forgiveness from the prince more readily than do commoners. . . .

1. The *taille*, from which the nobility and clergy were exempt, was the basic direct tax of the Old Regime. Taxes are discussed more fully below, in document 4.

But there are two exceptions to this rule. The first consists in the fact that crimes repugnant to nobility, such as treason, larceny, perjury, or double-dealing are aggravated and made more serious by the dignity of the person committing them. . . . The second consists in the fact that corporal punishments inflicted on gentlemen are milder, but pecuniary punishments must be harsher. . . .

Activities leading to the forfeiture of nobility are those of the pleading attorney, clerk of the court, notary, sergeant, clerk, merchant, and artisan of all trades except glass-making. . . . What is at issue here is the fact that these activities are performed for profit. For rightly speaking, it is sordid profit that derogates from nobility, whose proper characteristic is living off rents or at least not selling its labor. On the other hand, the employments of judges, advocates, doctors, and professors of the liberal arts do not derogate from nobility, even when nobles live by means of these professions, because this kind of profit (which proceeds from the work of the mind not the hands) is honorary rather than mercenary.

Tilling the fields does not derogate from nobility, not because of its utility (as is commonly thought) but because nothing a gentleman does for himself, and without taking money from another, implies derogation. . . .

Chapter VI. Of the High Nobility

. . . . Because the most perfect division is tripartite, I have most appropriately divided our nobility into simple, high and illustrious: meaning by simple nobility that which has not been raised by any other degree of honor; by high nobility that which is elevated and honored by some dignity, whether it be a knighthood, high office or *seigneurie*; and finally by illustrious nobility, that which derives from sovereign and illustrious blood, being connected by kinship with the sovereign prince, and capable of succeeding in turn to the sovereign power.

In order that this general division encompass all the degrees of nobility, which are far greater than three, it is necessary to subdivide the nobility of the higher degrees. We may divide the high nobility . . . into three: knights, great office-holders, and *seigneurs*. . . . But each of these refers in the end to the same kinds of dignity, claimed generally by all the high nobility. . . .

The order of knights is a quality of honor that kings and other sovereign princes attribute to those whom they wish to distinguish above other gentlemen as being more noble. They do this according to certain ceremonies designed to give the recipients greater distinction and prestige, ceremonies that the old tales have specified better than any good book. These consist of a vigil in church, followed by public and solemn prayers, after which the noble descends to his knees and is struck on the shoulder by the King with

the flat of his sword. . . . in the same way as slaves who were given their freedom in Rome were struck by the praetor with his rod. . . ., as the bishop confers the order of tonsure, and as in conferring the degree of doctor in universities one gives a slap to the candidate as a last blow to be received as one enters into a quality henceforth exempt from them. . . .

Nobles of the other two degrees, simple gentlemen and princes, have their quality by nature, or at least from their birth, contrary to the rule common to other dignities. Knighthood, however, follows the common rule of orders in that no one is born a knight, but this order must be directly conferred upon the person. And even though princes rank above knights, princes are not true knights until they have received the order of knighthood. Even sons of kings are not born knights. . . .

Chapter VII. Of Princes

. . . . The supreme degree of our nobility belongs to those we call *princes*, thereby bestowing upon them by honor and as a title of honorary dignity the name of Prince, which properly belongs to the sovereign alone. For *prince*, according to its true etymology, means the principal chief, he who has the sovereignty of the state; and this is what we mean when we speak simply of the prince.

This prince, who is the living image of God . . . is so august and so full of majesty that those who are born of him or who are related to him through the male line merit a particular respect and a rank above other subjects. So too this lieutenantcy of God on earth, this absolute power over men that we call principality or sovereignty, is so perfectly excellent that any position approaching or offering hope of acceding to it must have great weight or effect. If the ancient emperors established honorary offices or dignities to be bestowed upon those who held no offices but deserved to do so, then our kings, with even greater reason, have been able to impart to their kin this honorary title of Prince, although they may not enjoy the true principality (which is sovereignty) but only the aptitude to attain it, directly or through their posterity, according to their degree of succession.

I speak notably of our kings, since no other kingdom in the world that I know has formed and established an order of princes similar in title and rank to that in France.

Chapter VIII. Of the Orders of the Third Estate

Inasmuch as order is a species of dignity, the Third Estate of France is not properly an order. For since it comprises all the rest of the people apart from the clergy and the nobility, this would imply that all the people of France without exception were in dignity. But inasmuch as order signifies a

condition or occupation, or a distinct kind of person, the Third Estate is one of the three orders or general Estates of France. . . . In ancient Gaul, it was not taken into account or held in any respect or regard, as Caesar says in Book VI of *De Bello Gallico*. And following Caesar, M. Pasquier appropriately remarks in his *Livre des Recherches*² that during the first two dynasties of our kings there was no mention of the Third Estate, nor were the simple people called to the general assemblies held to reform the state: assemblies then called parlements, which we now call Estates General. These assemblies comprised only the prelates and the barons, that is to say the principal persons of the clergy and of the laity. . . . Pasquier adds that in the third dynasty our kings had adopted the custom of asking the common people for aid or subsidies for the necessities of war. In order to secure the people's consent (without which, at that time, no levy of funds could be raised) the kings henceforth summoned it to these assemblies which, for this reason, were called Estates General. This is why the common people is called the Third Estate. . . . because it was added to the two others, which had been established a long time before. And this Third Estate of France enjoys much greater power and authority in our time than it did formerly, because nearly all of the officeholders of justice and finance belong to it, the nobility having scorned letters and embraced idleness. . . .

The term "Third Estate" is more comprehensive than that of "bourgeois," which comprises only the inhabitants of the towns, that in old French (and still today in German) are called *bourgs*. . . . Furthermore, the term "bourgeois" does not properly comprise all the inhabitants of the towns. For nobles, even if they make their home in the towns, do not qualify as bourgeois because the nobility is an order completely separate from the Third Estate, to which the bourgeoisie belongs. This is why the "bourgeois" is ordinarily opposed to the "noble," as when we say "*La Garde noble et bourgeoise*." Moreover, base persons among the common people have no right to call themselves Bourgeois, since they have no share in the honors of the city nor any voice in the assemblies, in which rights bourgeoisie consists. . . .

What is more, properly speaking, bourgeois are not found in all towns but only in privileged towns, those which have the right to incorporate and communal forms of government. For to be a citizen or bourgeois (as Plutarch defines it very well in his work on Solon) is to participate in the rights and privileges of a city; so that if the city has no communal government

and corporate existence, neither officeholders nor privileges, it can have no bourgeois. . . .

In France, as in ancient Rome, there are several orders or degrees of the Third Estate. . . . men of letters, financiers, those serving the courts, merchants, husbandmen, ministers of justice, and laborers. It is necessary to speak of each separately.

For the honor which is due to knowledge, I have put men of letters in the first rank. . . . Our men of letters are divided into four principal faculties, or branches of knowledge: theology, jurisprudence (under which are included civil and canon law), medicine, and the arts, which comprise grammar, rhetoric and philosophy. In each of these four faculties, there are three degrees: bachelor, licentiate, and doctor or master.

The bachelor. . . . has completed his studies, and has been admitted to the course of the faculty leading to the doctorate or mastership. The licentiate has finished his course and completed all the required tasks and examinations, having been declared capable of obtaining the grade of doctor or master; that is why he enjoys nearly all the advantages of the doctor. Finally, the doctor has solemnly received the marks and signs of this dignity, and has obtained the power of publicly teaching others, and of conferring the same degree upon them, a power which the simple licentiate does not have. . . .

Another order or dignity of men of letters is that of advocate, which is conferred publicly by a magistrate, and can only be conferred upon those who already have the degree of doctor, or at least of licentiate, of civil or canon law. . . .

In my opinion, financiers must rank after men of letters. . . . By financiers, I mean all those who undertake the handling of finances (that is to say the king's monies) whether they hold offices or not. For we are speaking here of orders, or rather of mere occupations, which are compatible with offices. It is true that in earlier times the tasks of finance were not offices, but simple commissions. . . . The majority of these were conferred by the people when it granted a levy to the king and named particular persons to allocate the levy equally, first among provinces. . . . then among parishes. . . . and finally among individual inhabitants of the parishes. . . . But since venality of offices has become customary, even the most minor financial operation has been made into an office. And because these offices ordinarily carry little honor or power, their remuneration is generally very high; added to which it is expected that, as those who pick peas keep a few in their hands, so those who handle finances keep their share—which they rarely forget to do. . . .

Next come practitioners or men of affairs. . . . all those who, apart from judges and advocates, gain their living by the business and legal transac-

2. Etienne Pasquier (1529–1615), lawyer and historian, was one of the most distinguished humanist scholars of sixteenth-century France. His *Recherches de la France* (which began to appear in 1560) sought to recover the early history of French institutions from the original documentary sources.

tions of others. They are of two kinds: those of the long robe, namely clerks of the court, notaries, and attorneys . . . ; and those of the short robe, namely sergeants, trumpeters, appraisers, vendors, and others like them. . . .

After the principal practitioners . . . come the merchants, as much for the utility, indeed the public necessity, of commerce . . . as for their usual opulence, which brings them credit and respect. In addition to the latter, their ability to employ artisans and laborers brings them much power in the towns. Thus merchants are the last group among the people to receive honorable titles, to be called "honorable men" or "honest persons" and "bourgeois of the town." Titles such as these are attributed neither to husbandmen, nor to sergeants, nor to artisans, and still less to laborers, all of whom are reputed to be vile persons, as will shortly be explained. . . .

Husbandmen must, in my opinion, follow merchants and precede practitioners of the short robe . . . since in France rural life is the ordinary occupation of the nobility, while commerce brings degradation of nobility. It is true that by husbandmen I mean those ordinarily engaged in tilling for others as tenants, an exercise which is as strictly forbidden to the nobility as is commerce. But be that as it may, there is no life more innocent, no gain more in accord with nature than that of tilling the soil, which philosophers have preferred to all other vocations. In France, however, administrative policy has lowered them so much, even oppressed them, by taxes and by the tyranny of the gentlemen, that one is astonished that they can subsist, and that there are enough of them to provide nourishment for us all. Thus one sees that the majority prefer to be valets and carters for others, rather than masters and farmers in their own right.

In any case, today we consider common husbandmen and all other men of the village, whom we call peasants, as vile persons. . . .

The artisans, or tradesmen, are those who exercise the mechanical arts, which are so named to distinguish them from the liberal arts. This is because the mechanical arts were formerly practiced by serfs and slaves, and indeed we commonly call *mechanical* anything that is vile and abject. Nevertheless, because the mechanical arts demand considerable skill, masterpieces have been created in them, just as in the liberal arts. The statute requires a three-year apprenticeship under the same master (under penalty of beginning the apprenticeship again if one changes masters). Then one becomes a journeyman (in earlier times called a bachelor), that is to say an aspirant to the mastership. Finally, after three years as a journeyman working under a master, and having been found capable on the basis of public proof of adequate ability (in a piece of work called a *chef d'oeuvre*), one is received as a master. This is a very well-ordered arrangement, not only because no one is made a master who does not know his trade very well,

but also because the masters thereby lack neither apprentices nor journeymen to help them in their work. . . .

Although artisans are properly mechanics and reputed to be vile persons, there are certain trades in which manufacture and commerce are combined. . . . Inasmuch as they participate in commerce, these trades are honorable, and those who exercise them are not numbered among the vile persons . . . but may be addressed as "honorable men" and "bourgeois" like other merchants. Apothecaries, goldsmiths, jewelers, haberdashers, wholesalers, drapers, hosiers, and others like them fall into this category, as one sees in the statutes.

On the other hand, there are trades which reside more in bodily strength than in the practice of commerce or in mental subtlety, and these are the most vile. . . .

For all the more reason, those engaged neither in manufacture nor commerce, and who gain their living only by the labor of their arms, whom we call *gens de bras*, or mercenaries, such as porters, masons' laborers, carters, and other day laborers, are the most vile of the common people. For there is no worse occupation than having none at all. Still, those who are occupied in gaining their living by the sweat of their brow, according to the commandment of God, are far better to be maintained than so many able-bodied beggars, with whom France is filled at present, because of excessive taxes. These latter cause needy persons to abandon everything, preferring to become vagabonds and tramps in order to live in idleness and carelessness at the expense of others, rather than to work continually without profit or to earn only to pay taxes. If this is not put in order quickly, there will be two unfortunate results of the immense proliferation of this rabble that is occurring daily: the fields will be left untended for lack of men willing to engage in this work; and travellers will no longer be safe on the roads, nor peasants in their homes.

2. Bossuet, *Politics Derived from the Words of Holy Scripture*

Jacques-Bénigne Bossuet (1627–1704) was a distinguished French churchman renowned for the eloquence of his preaching. In 1670, he was chosen by Louis XIV to serve as tutor to his son, the heir to the throne.

From Jacques-Bénigne Bossuet, *Politique tirée des propres paroles de l'Écriture sainte*, in *Oeuvres choisies de Bossuet*, 5 vols. (Paris: Hachette, 1897–1901), vol. 2. Translated by Elizabeth D. McNeill with additions and revisions by the editor, Keith Michael Baker. Bossuet's biblical quotations are not always precise. We have followed the Douay-Rheims-Challoner translation of the Latin Vulgate used by Bossuet, modified where necessary to accord with Bossuet's text.

Bossuet wrote several works for the edification of his pupil, including this celebrated statement of the principles of royal absolutism (published posthumously in 1709).

Named bishop of Meaux in 1680, Bossuet became one of the great spokesmen for orthodoxy and unity in French religious life, upholding the authority of the Catholic church in France against the claims of Jesuits and Protestants, on the one hand, and its independence against the threat of papal interference on the other.

Book 3: Wherein Begins the Explanation of the Nature and Properties of Royal Authority

ARTICLE 1. On distinguishing its essential characteristics.

Proposition 1. Royal authority has four essential characteristics or qualities.

First, royal authority is sacred; second, it is paternal; third, it is absolute; fourth, it is subordinated to reason. These will be explained in proper order in the following articles.

ARTICLE 2. Royal authority is sacred.

Proposition 1. God establishes kings as his ministers, and reigns through them over the people.

We have already seen that all power comes from God. As Saint Paul says, "The King is God's minister to thee, for good. But if thou do that which is evil, fear: for he beareth not the sword in vain. For he is God's minister: an avenger of evil actions" (Romans 13:4).

Princes serve therefore as ministers of God and as his lieutenants on earth. It is through them that he exercises his rule. "Do you think that you are able to withstand the Kingdom of the Lord, which he possesseth by the sons of David?" (II Chronicles 13:8). That is why we have shown that the royal throne is not that of a man but the throne of God himself: "... he hath chosen Solomon my son, to sit upon the throne of the Kingdom of the Lord over Israel" (I Chronicles 28:5). And again, "Solomon sat on the throne of the Lord. . . ." (I Chronicles 29:23). And lest it should be considered peculiar to the Israelites to have kings chosen by God, here is what Ecclesiasticus says: "Over every nation he set a ruler. And Israel was made the manifest portion of God" (Ecclesiasticus 17:14-15). He therefore rules over all nations and to them all he gives their kings, although he rules over Israel in a more clearly stated and distinctive fashion.

Proposition 2. The person of kings is sacred.

It is clear from the foregoing that kings' persons are sacred, and that any attack upon them is sacrilege. God causes kings to be anointed by his prophets with a holy anointing, as he does the priests and the altars. But

even without the outward application of this anointment, kings are sacred because of their office; they are the representatives of the divine majesty, delegated by his providence to execute his commands. Thus God even calls Cyrus his anointed. "Thus saith the Lord to my anointed Cyrus, whose right hand I have taken hold of, to subdue all nations before him" (Isaiah 45:1).

The title of *christ* is given to kings, and throughout the Scripture one sees them called *christ*, or the Lord's anointed. With this venerable title, even the Prophets revere them, and regard them as associated with the sovereign empire of God, whose authority they wield over the people. "Speak of me before the Lord, and before his anointed, whether I have taken any man's ox or ass; whether I have taken a bribe at any man's hand; whether I have oppressed any man. And they said: thou hast not. And he said to them: the Lord and his anointed are witness this day, that you have no complaint to bring against me" (I Samuel 12:3-5). Samuel, after having judged the people with absolute power for twenty-one years on behalf of the Lord, thus accounts for his conduct before God and before Saul, whom he calls upon as witnesses, and by whose testimony he establishes his innocence.

One must guard kings as one would sacred things, and he who neglects thus to guard them is worthy of death. "As the Lord liveth, you are the sons of death," said David to Saul's captains, "you who have not kept your master, the Lord's anointed" (I Samuel 26:16). He who guards the life of a prince commits his own into God's keeping. David said to King Saul, "And as thy life hath been precious this day in my eyes, so let my life be precious in the eyes of the Lord, and let him deliver me from all peril" (I Samuel 26:24).

Twice God placed Saul in the hands of David; Saul did all he could to cause David's undoing; his men pressed David to rid himself of this unjust and impious prince; but the idea filled him with horror. "And he said to his men: The Lord be merciful unto me, that I may do no such thing as to lay my hand upon my master, the Lord's anointed" (I Samuel 24:7, 11; 26:23). Far from making any attack upon Saul, David was filled with fear at having cut off a piece of Saul's mantle, although he had only done it to show Saul how conscientiously he had spared his life. "David's heart struck him, because he had cut off the hem of Saul's robe" (I Samuel 24:6). So sacred did the king's person seem to David, and so afraid was he of violating, by the slightest irreverence, the respect that was Saul's due.

Proposition 3. The prince must be obeyed on principle, as a matter of religion and of conscience.

Saint Paul, having said that the prince is God's minister, concludes thus, "Wherefore be subject, of necessity: not only for fear of his wrath, but also for conscience' sake" (Romans 13:5) . . .

And again: "Servants, obey in all things your masters according to the flesh: not serving to the eye, as pleasing men; but in simplicity of heart; fearing God. Whatsoever you do, do it from the heart: as to the Lord, and not to men; knowing that you shall receive of the Lord the reward for your services. Serve Jesus Christ as your master" (Colossians 3:22-24). If the Apostle speaks thus of servitude, a state contrary to nature, what ought we to think about legitimate submission to princes who are magistrates, the protectors of public liberty? That is why Saint Peter said, "Be ye subject therefore for God's sake to the order that is established among men: whether it be to the king, as holding supreme power; or to governors as sent by him for the punishment of evildoers and for the praise of the good" (1 Peter 2:13-14).

Even when kings and magistrates fail in this their duty, one must respect in them their office and their ministry. "Servants, be subject to your masters, not only to the good and gentle but also to the froward" (1 Peter 2:18). There is therefore something religious about the respect rendered to a prince. Serving God and respecting kings are interconnected, and Saint Peter puts these two duties together: "Fear God. Honor the king" (1 Peter 2:17).

Also, God endowed princes with a divine quality. "I have said: You are gods, and all of you are children of the most High" (Psalms 81:6). God Himself is made to speak thus by David.

From this it follows that the servants of God take their oaths upon the well-being and life of the king as though upon a divine and sacred thing. Uriah says to David, "By thy welfare and by the welfare of thy soul I will not do this thing" (II Samuel 11:11). Taken in the light of the Lord's commands, this holds true even if the king is an infidel: "By the health of Pharaoh, you shall not depart hence" (Genesis 42:15).

We ought to give heed here to the early Christians, and especially to Tertullian who speaks thus in the name of them all: "We swear, not by the geni of the Caesars, but by their life and their well being, which is more august than all the geni. Do you not know that geni are demons? But we, who see the emperors as the choice and the judgment of God, who gave them command over all nations, respect in them what God put there, and we hold it a solemn oath." And he says further, "What more can I say about our religion and our piety toward the emperor, whom we must respect as him whom our God hath chosen? I can say that the Caesar is more ours than yours, since it was our God who established him" (Tertullian, *Apology*, 32, 33).

It is therefore in the spirit of Christianity to respect kings with the sort of religion which Tertullian most aptly terms "the religion of the second majesty." This second majesty is but an outgrowth of the first, that is, of the

divine majesty, which, for the good of human affairs, wished to cast some of its reflected brilliance upon kings.

Proposition 4. Kings must respect their power, and only use it for the public good.

Their power comes from on high, and as has been said, they must not think that they are the masters of this power, to use it as they please; but they must use it with fear and restraint as they should a thing coming to them from God, and for which God will demand an accounting. . . .

Kings must consequently tremble while using the power which the Lord gives them, and reflect upon how horrible a sacrilege it is to use for evil ends a power which comes from God. We have seen how kings are seated on the throne of God, grasping the sword which he himself put in their hand. How profane and how audacious of unjust kings, to sit upon the throne of God, giving orders contrary to the laws, and using the sword God gave them for doing violence and butchering his children!

Let kings therefore respect their might; for it is not theirs, but the might of the Lord, which must be used in a holy and religious manner. . . .

ARTICLE 3. Royal authority is paternal, and its true characteristic is goodness. . . .

Proposition 1. Goodness is a royal quality, and the true attribute of greatness.

"Because the Lord your God he is the God of gods, and the Lord of lords, a great God and mighty and terrible, who judgeth without regard to person nor taketh bribes. He doth judgment to the fatherless and the widow, loveth the stranger, and giveth him food and raiment" (Deuteronomy 10:17-18). Because God is great and complete in himself, he bends over backwards, as it were, to do good to men, in conformity with these words: "For according to his greatness, so also is his mercy" (Ecclesiasticus 2:23). He imbues kings with an image of his majesty in order to compel them to imitate his goodness. He raises them to a level where they no longer desire anything for themselves. We have heard David saying, "What can David add more to all this greatness, with which thou hast invested thy servant" (II Samuel 7:20; I Chronicles 17:18). And at the same time God told the kings that he gave them this greatness out of love for the people, "Because the Lord hath loved his people, therefore he hath made thee king over them" (II Chronicles 2:11). And again, "Blessed be the Lord thy God, whom thou hast pleased, and who hath set thee upon the throne of Israel: because the Lord hath loved Israel for ever, and hath appointed thee king, to do judgment and justice" (I Kings 10:9). That is why, in the passages where we read that the kingdom of David was imposed upon the people, the Hebrew and Greek read, *for* the people. This shows that the purpose of greatness is the good of the subjects. In fact, God, who

created all men out of the same earth for a body, and equally placed his image and his likeness in all their souls, did not establish so many distinctions among men in order to have on one hand the haughty and on the other slaves and wretches. He raised up the great only for them to protect the common people; he only gave his power to kings in order to procure the public welfare, and for them to be the support of the common people.

Proposition 2. The prince is born not for himself but for the public. This is a sequel to the preceding proposition. God confirms this truth with the example of Moses. . . .

If only princes could understand that their true glory lies in not existing for themselves, and that the public welfare which they bring about is a sufficiently worthy recompense on earth, while awaiting the eternal blessings that God reserves for them!

Proposition 3. The prince must look after the needs of the people.

The Lord said to David, "Thou shalt feed my people Israel, and be their shepherd" (II Samuel 5:2). . . .

It is a royal prerogative to minister to the needs of the people. Whoever else undertakes this function, to the prejudice of the prince, infringes upon royalty; that is why royalty is established; and the obligation to care for the people is the foundation upon which rest all the rights which sovereigns have over their subjects. That is why, in cases of great need, a people has the right of appeal to its prince. "And when all the land of Egypt was famished, the people cried to Pharaoh for bread" (Genesis 41:55). . . .

Proposition 4. Among the people, the prince must provide most carefully for the poor.

For they have the greatest need of him who is, through his office, the father and the protector of all. That is why the care of widows and orphans was entrusted by God principally to judges and magistrates. . . .

Book 4: Continuation of the Characteristics of Royalty

ARTICLE 1. Royal authority is absolute.

In order to make this term odious and unbearable, there are many who affect to confuse absolute government with arbitrary government. But in reality no two things are more distinct, as we will demonstrate when we speak of justice.

Proposition 1. The prince does not have to justify himself to anyone for what he commands.

"Observe the commandments that issue from the king's mouth, and keep the oath that thou hast taken to him. Be not hasty to depart from his face, and do not continue in an evil work. For he will do all that pleaseth him. And his word is full of power. Neither can any man say to him: why dost

thou so? He that obeyeth shall find no evil" (Ecclesiastes 8:2-5). Without this absolute authority, the prince can neither do good nor repress evil; his power must be such that no one can hope to escape him; and as a matter of fact, the sole defense of individuals against the public power must be their innocence. This doctrine conforms to what Saint Paul said: "Wilt thou then not be afraid of the power? Do that which is good" (Romans 13:3).

Proposition 2. When the prince has judged, there is no other judgment. Sovereigns' judgments are attributed to God himself. . . .

Princes are Gods and participate in some fashion in divine power. "I have said: You are gods, and all of you are children of the most High" (Psalms 81:6). Only God can review their judgments and their persons. "God hath stood in the congregation of gods: and being in the midst of them he judgeth gods" (Psalms 81:1).

That is why Saint Gregory, bishop of Tours, said to King Chilperic at a church council, "We speak to you, but you listen to us only if you wish to. If you do not wish to, who will condemn you, if not he who has said that he is justice itself?" It therefore follows that whoever does not wish to obey the king cannot appeal to another tribunal, but is irrevocably condemned to death as the enemy of the public peace and of human society. "He that will be proud, and refuse to obey the commandment of the priest and the decree of the judge: that man shall die, and thou shalt take away the evil from among thee" (Deuteronomy 17:12). And again, "He that shall refuse to obey all thy commands, let him die" (Joshua 1:18). Thus spake the people to Joshua.

The prince can correct himself when he finds he has done wrong, but against his authority there can be no remedy except by his authority. That is why a prince must be very careful what he orders. . . .

Proposition 3. There is no coercive force against the prince.

Coactive force is the power to compel the execution of legitimate orders. Legitimate command belongs only to the prince; to him alone also belongs coactive force. This is also why Saint Paul gave the sword only to the prince. "But if thou do that which is evil, fear: for he beareth not the sword in vain" (Romans 13:4). In a state, only the prince is armed; otherwise everything is in confusion and the state collapses into anarchy.

Whoever makes himself a sovereign prince takes everything into his own hands, the supreme judicial authority as well as all the forces of the state. . . .

This is what may be called the royal law of the Jews, where all the powers of kings are excellently set forth. To the prince alone belongs the general care of the people: that is the first article and basis of all the others; to him belong public works; to him belong defense and offense; to him belong decrees and ordinances; to him belong honorific titles; there is no power

which is not dependent on him, no assembly but by his authority. Thus for the good of the state, all its force is gathered into a single whole. For power to exist outside of this is to divide the state, to ruin the public peace, to create two masters, which is in contradiction to the word of the Gospel, "No man can serve two masters" (Matthew 6:24).

By virtue of his office, the prince is the father of his people; by his majesty he is above petty interests; more than this, all his majesty and his natural interest are directed toward the preservation of the people, since, in short, if there is no people, there is no longer a prince. There is therefore nothing better than to leave all the power of the state to him who has the greatest interest in its preservation and grandeur.

Proposition 4. Kings are not thereby freed from all laws. [Here follows a long quotation from Deuteronomy 17:16–20.]

One must observe that this law included not only the religion but also the law of the kingdom, to which the prince was subject as much as others, or more than others, through the righteousness of his will. This is what princes find so hard to understand. As Saint Ambrose said: "Where will you find a prince who believes that what is not good is not permitted; who holds himself bound by his own laws; who believes that a ruler ought not to permit himself to do what is contrary to justice? But authority does not destroy the obligations of justice; on the contrary, it is by observing the prescriptions of justice that authority avoids criminal behavior. And the king is not exempt from the laws; for if he sins, he destroys the laws by his example." Saint Ambrose adds, "Can he who judges others escape his own judgment? And ought he to do that which he himself condemns?" Hence a Roman emperor's excellent dictum, "It is worthy of the majesty of a ruler to recognize his submission to the laws."

Kings are therefore subject, like others, to the equity of the laws, both because they ought to be just, and because they owe it to the people to give an example by maintaining justice; but they are not subject to the penalties of the law. In the language of theology, they are subject to the laws not as a coercive force but as a directive force.

Proposition 5. The people must remain peaceable under the authority of the king. . . .

Proposition 6. The people must fear the prince; but the prince need only fear to do evil. . . .

Fear is a necessary bridle for the people, because of their presumptuousness and their natural intractability. Therefore it is necessary for the people to fear the prince; but should the prince fear the people, then all is lost. . . .

Book 5: Fourth and Last Characteristic of Royal Authority

ARTICLE 1. Royal authority is subject to reason.

Proposition 1. Government is a work of reason and of intelligence.

"And now, O ye kings, understand: receive instruction, you that judge the earth" (Psalms 2:10). All men are formed for understanding, but especially you in whom is placed the trust of an entire great nation; who must be the soul and the intelligence of a state; and in whom must be found the primary reason for all its actions. The less you have to give reasons to others, the more you must have reason and intelligence yourself. The opposite of acting through reason is acting through passion or caprice. To act in a temper, as Saul did against David, being either pushed by jealousy or possessed by black melancholy, leads to all sorts of irregularities, inconsistencies, inequalities, vagaries, injustices, and dizzinesses in one's conduct. . . .

Proposition 2. True firmness is the result of intelligence. . . .

Proposition 3. The wisdom of the prince makes the people happy. . . .

ARTICLE 4. Consequences of the foregoing doctrine; of majesty and its attributes.

Proposition 1. On the nature of majesty.

By majesty, I do not mean that pomp which surrounds kings, or that show of brilliance which dazzles the vulgar. This is but the reflection of majesty, and not majesty itself.

Majesty is the image of the glory of God in the prince. God is infinite; God is all. The prince, in his capacity as a prince, is not considered an individual man: he is a public person, the whole state is in him, the will of the whole people is contained within his own. As all perfection and all virtue are united in God, so is the entire power of individual persons united in the person of the prince. What greatness it is for a single man to hold such power!

God's power makes itself felt in an instant from one end of the world to the other. Royal power acts simultaneously throughout the realm. It keeps the whole realm in its proper state, just as God does for the whole world. Let God withhold his hand, and the world would collapse again into nothingness; let authority cease in the realm, and everything would be in confusion.

Consider the prince in his cabinet. Thence orders go out coordinating the actions of magistrates and captains, citizens and soldiers, provinces and armies on land and sea. He is the image of God, who sits on his throne in the highest heavens, governing the movements of the whole of nature. . . .

Book 6: The Duties of Subjects to the Prince

ARTICLE 1. On the service owed to the prince.

Proposition 1. One owes to the prince the same services one owes one's country.

There can be no doubt of this, once we have seen that the whole state is in the person of the prince. In him lies power, in him rests the will of the whole people. To him alone is it given to make all things conspire together for the public good. The service which one owes to the prince and that which one owes to the state must be made to coincide, as being inseparable.

Proposition 2. It is necessary to serve the state in the manner in which the prince understands such service.

For we have seen that in the prince lies the reason which guides the state. Those who think to serve the state otherwise than by serving the prince and by obeying him arrogate to themselves part of the royal authority; they trouble the public peace and the relationship of all to their chief. Such were the children of Sarviah, who, by a false zeal, wished to kill those whom David had pardoned. "What have I to do with you, children of Sarviah? You are a Satan this day to me" (II Samuel 19:22). The prince sees from further off and from higher up, and one must believe that he sees better. One must obey without murmur, since murmuring implies an inclination to sedition.

The prince knows the whole secret and sequence of affairs. To fail to obey his orders even for a moment is to put everything in jeopardy. . . .

Proposition 3. Only public enemies make a separation between the interest of the prince and the interest of the state. . . .

ARTICLE 2. The obedience due to the prince. . . .

Proposition 6. Subjects ought not to oppose the violence of princes except by respectful remonstrances, without mutiny and without murmurs, and with prayers for their conversion.

When God wished to deliver the Israelites from the tyranny of Pharaoh, he did not allow them to proceed with violent measures against that king, whose inhumanity toward them was unheard of. They respectfully asked for permission to leave Egypt and go into the desert to sacrifice to God. We have seen that princes ought to listen even to individual persons. How much more should they listen to a people that respectfully makes known its just complaints through proper channels! Pharaoh, hardened and tyrannical though he was, nonetheless listened to the Israelites. He heard Moses and Aaron. And he received "the officers of the children of Israel, who came and cried unto Pharaoh, saying: Why dealest thou so with thy servants?" (Exodus 5:15).

It is therefore permissible for an oppressed people to appeal to the

prince through his magistrates and legitimate channels: but this must always be done respectfully. Remonstrances full of bitterness and grumbling are the beginning of sedition, which ought not to be tolerated. Thus the Israelites grumbled against Moses and never made a peaceable remonstrance to him. Moses never ceased to listen to them, to assuage them, to pray for them, and he gave a memorable example of the good will which princes owe their people. But God, to establish order, soundly punished the seditious ones. . . .

Book 7: The Special Duties of Royalty

ARTICLE 1. A general view of the duties of the prince.

Subjects have been taught their obligations. We have given princes a preliminary conception of theirs. It is necessary now to proceed to more detailed consideration; and to avoid any omission, let us make a precise enumeration of these duties.

The end of government is the good and the preservation of the state. To preserve it, first one must maintain therein a good constitution. Second, one must make good use of the resources with which it has been endowed. Third, one must save it from the dangers and difficulties that threaten it. In this same way is the human body preserved, by maintaining therein a good constitution; by taking advantage of the means by which the feebleness of human existence may be supported; by providing suitable remedies for the ills and afflictions that may attack the human frame.

The good constitution of the body of the state consists in two things, namely religion and justice: these are the internal and constitutive principles of states. By the former, God is given his due, and by the latter, men are given that which is fitting and proper to them. The resources essential to royalty and necessary for government are arms, counsel, wealth or finances (under which category we shall consider commerce and taxes). . . .

ARTICLE 2. On religion, understood as the good of nations and of civil society. . . .

Proposition 4. Since the true religion is founded on certain principles, it makes the constitution of states more stable and more secure.

It is true that false religions, insofar as they possess an element of goodness and truth in recognizing the obligation to respect a divinity to which human existence is subject, may entirely suffice to uphold the constitution of states. Nevertheless, they always leave in human consciences a residue of uncertainty and doubt, preventing the attainment of a perfect stability. . . . There is nothing enduring in false religions. They consist only in a zeal that is blind, seditious, turbulent, prejudiced, ignorant, confused, and without order and reason, as is shown by the disordered and tumultuous

assembly of the Ephesians and their demented clamors in favor of their great Diana (Acts 19:24, 28, 34). This is far from the good order and sound stability which constitutes states, but it is the inevitable result of error. A solid foundation for states must therefore be sought in truth, which is the mother of peace; and truth is only to be found in the true religion.

ARTICLE 3. The true religion is made known by visible signs. . . .

Proposition 9. The prince ought to use his authority to destroy false religions in his state.

Thus Asa, Hezekiah and Josiah ground into powder the idols which their people adored. . . .

Proposition 10. A king may use force against the adherents of false religion; but gentleness is preferable.

"The king is God's minister. He beareth not the sword in vain. Whomsoever doeth evil must fear him as the avenger of evil actions" (Romans 13:4). He is the protector of the public peace, which rests on religion; and he must uphold his throne of which religion is the basis, as we have seen. Those who would not allow the prince to use force in matters of religion, because religion ought to be free, have fallen into impious error. Otherwise it would be necessary to permit idolatry, Mohammedanism, Judaism, all false religions, blasphemy and even atheism among all subjects and throughout the state; and the greatest crimes would be the least punished.

It is, however, only in an extremity that it is necessary to use force, especially the last resort, death. . . .

Book 8: Continuation of the Special Duties of Royalty—Of Justice

ARTICLE 1. Justice is founded on religion.

Proposition 1. God is the judge of judges, and presides over all judgments.

"God hath stood in the congregation of gods: and being in the midst of them he judgeth gods" (Psalms 81:1). These gods whom God judges are kings and the judges assembled under their authority to exercise their justice. He calls them gods, because in the language of Holy Scripture the name *God* means *judge*: thus the authority to judge is participation in God's sovereign justice, with which he has invested the kings of the earth. . . .

Proposition 4. Under a just God, there is no purely arbitrary power.

Under a just God, there is no power whose nature it is to be entirely unconstrained by natural, divine, or human law. There is, at least, no power on earth not subject to divine justice. All judges, even those most sovereign, whom God accordingly calls gods, are examined and corrected by a greater judge. . . .

ARTICLE 2. Of the government that is called arbitrary.

Proposition 1. There is a form of government among men that is called arbitrary, but that does not exist among us, in perfectly civilized states.

Four conditions are characteristic of such governments. First, the subject peoples are born slaves, which is to say that they are truly serfs; there are no free persons among them. Second, there is no property; all wealth belongs to the prince, and there is no right of succession from father to son. Third, the prince has the right to dispose at will, not only of his subjects' property but of their life, just as in the case of slaves. Fourth, and finally, there is no law but the prince's will.

This is what is called arbitrary power. I do not wish to examine whether it is lawful or unlawful. There are peoples and great empires that content themselves with it; and it is not for us to trouble them as to their form of government. It is enough to say that it is barbarous and hateful. These four conditions are very far from our own customs and manners; this arbitrary government does not exist among us.

It is one thing for the government to be absolute, and quite another for it to be arbitrary. It is absolute in terms of constraint, there being no power capable of compelling the sovereign, who in this sense remains independent of all human authority. But it does not follow from this that the government is arbitrary, because in addition to the fact that everything is subject to divine judgment (which also applies to the form of government just called arbitrary) empires have laws which by right nullify anything that is done contrary to them; it is always open to reverse such actions on another occasion, or at another time. In consequence, each individual remains in legitimate possession of his goods, since no one can believe that he will be able to hold securely anything that is contrary to the laws, whose vigilance and action against injustice and aggression are immortal. . . . And this is what one calls legitimate government, which is by its nature opposed to arbitrary government.

We deal here only with the first two conditions of what is called arbitrary power, as we have just defined them. For the last two seem so contrary to humanity and to society that they are all too clearly opposed to legitimate government. . . .

Book 9: The Resources of Royalty—Arms, Wealth or Finances, and Counsel

ARTICLE 1. Of war and its just grounds, both general and particular.

Proposition 1. God makes princes warriors.

Therefore David says: "Blessed be the Lord my God, who giveth force to my arms for the fight, and teacheth my hands to war" (Psalms 143:1).
Proposition 2. God expressly commanded the Israelites to make war.

He ordered his people to make war on certain nations. . . .

Proposition 4. God wished to chastise these peoples [enemies of the Israelites] and to punish their impiety.

These were abominable nations, devoted from the beginning to all sorts of idolatry, injustice and impiety; a cursed race, among whom vice was ingrained by their corrupt customs. . . .

Proposition 6. God does not wish established inhabitants to be dispossessed of their lands, nor blood relationships to be disregarded. . . .

Proposition 7. There are other just grounds for waging war: acts of hostility, refusal of just and peaceful transit, violation of the law of nations by acts against ambassadors. . . .

ARTICLE 2. Unjust motives for war.

Proposition 1. First unjust motive: ambitious conquest. . . .

Proposition 2. Those who love war and wage war in order to satisfy their ambition are the declared enemies of God. . . .

Proposition 3. The character of ambitious conquerors, as portrayed in Holy Scriptures. . . .

[The prototype: Nebuchadnezzar.]

Here we see the first trait of an unjust conqueror. He had no sooner subdued a powerful enemy than he thought that everything belonged to him and that there was no people he could not oppress; and if anyone refused the yoke, his pride was aroused. He did not speak of attack; he believed himself to have a legitimate right over everyone. Because he was the strongest, he did not think himself an aggressor; and he claimed as mere defense his plan to invade the lands of free peoples. Since it was rebellion to safeguard liberty against his ambition, he spoke only of vengeance; and the wars he undertook appeared to him as just punishments for rebels.

He went further. Not content with invading so many countries which by no right belonged to him, he thought nothing would be worthy of his greatness except to become master of the whole universe. . . .

Proposition 4. While God seems to bestow everything on such conquerors, he actually prepares harsh punishment for them. . . .

Proposition 5. Second unjust motive for war: pillage. . . .
If wars of pillage were permitted, there would be no peaceful kingdom or province. . . .

Proposition 6. Third unjust motive: jealousy. . . .

Proposition 7. Fourth unjust motive: glory and the delights of victory. . . .

There is nothing more enticing than military glory. It often determines human affairs at a single blow, and seems to have a sort of universal power to force events. This is why glory tempts the kings of the earth so strongly. But we shall see how vain it is. . . .

**Tenth and Last Book: The Resources of Royalty, Continued—
Wealth, Counsel, the Difficulties and Temptations which Accompany
Royalty and the Remedies which must be Applied**

ARTICLE 1. Of wealth or finances: Commerce and taxes.

Proposition 1. There are expenditures which are necessary, and others which are for splendor and dignity. . . .

One may count, among necessary expenditures, all those required for war, such as fortifications, arsenals, and munitions, which have been mentioned before. The expenditures for magnificence and dignity are not less necessary, in their own way, to sustain majesty in the eyes of the people and of foreigners.

It would be an infinite task to recount the magnificence of Solomon. . . . And the Holy Bible does not disdain going into all this detail, because it served, in that time of peace, to make the power of so great a king felt and admitted at home and abroad. . . .

God forbade ostentation inspired by vanity, and the foolish puffing up of a heart drunk with wealth, but he nevertheless wished the courts of kings to shine with magnificence, in order to impress upon the people an attitude of respect.

And even today, at the coronation of kings, as we have already seen, the Church makes this prayer: "May the glorious dignity and the majesty of the palace dazzle the eyes of all beholders with the great splendor of royal power, so that the light shall shine forth on all sides like a star." All these are words chosen to express the magnificence of a royal court which is demanded by God as a necessary support for royalty.

Proposition 2. A flourishing state is rich in gold and silver, and this is one of the fruits of a long period of peace.

Gold so abounded during the reign of Solomon that "silver was counted as nothing, and it was as plentiful (so to speak) as stones, and cedars as common as sycamores which grow (unwanted) in the plains" (1 Kings 10:27). The Holy Bible points out that such wealth is the fruit of long peace, in order to make princes love that peace which produces such great things.

Proposition 3. The first source of such wealth is commerce and navigation. . . .

Proposition 4. The second source of wealth: the prince's domain. . . .

Proposition 5. The third source of wealth: tribute imposed upon vanquished kings and nations, which the Bible calls presents. . . .

Proposition 6. The fourth source of wealth: taxes paid by the people. In every state the people contributes to the public expenditures, that is to say, to its own preservation; and the part of its property which it gives assures enjoyment of the remainder in liberty and security. . . .

Proposition 7. The prince ought to moderate taxes, in order not to overburden the people.

"And he that strongly squeezeth the paps to bring out milk, straineth out butter: and he that violently bloweth his nose bringeth out blood: and he that oppresseth men provoketh revolts and seditions" (Proverbs 30:33). This was Solomon's rule. . . .

Proposition 10. . . . Definition of true wealth.

From the passages which we have quoted, we must conclude that true riches are those we have called natural because they supply the true necessities of nature. The fertility of the soil and of animals is an indubitable source of true wealth; gold and silver come only secondarily to facilitate exchange.

Therefore it is necessary, following the example of the great kings whom we have cited, to take particular care to cultivate the soil, to maintain the pastures, and to raise animals skillfully. . . . A prince who attends to these things makes his people happy and his state flourishing.

Proposition 11. The true wealth of a kingdom is its men.

It is delightful to see, under good kings, the incredible multitude of people reflected in the astonishing size of their armies. On the contrary, it is shameful that Ahab and the depopulated kingdom of Israel camped with their armies "like two little herds of goats," while the opposing Syrian army covered the face of the earth. In the enumeration of the riches of Solomon, there is nothing more pleasing than the words, "Judah and Israel were innumerable, as the sand of the sea" (1 Kings 4:20). The height of felicity and wealth consists in this, that this multitude of people "ate and drank of the fruit of its labors, each under his vine and under his fig tree, and was joyful" (1 Kings 4:20, 25). Joy makes the body healthy and vigorous and improves the simple meal taken with the family, far from the fear of any enemy, while blessing the prince who loves peace as the author of so great a wellbeing. Even though such a prince finds himself compelled to go to war, he has no reason to fear it except out of a sense of justice and kindness. A sad and languishing people loses courage and is good for nothing; the earth itself shows the carelessness with which it is worked, and families are small and forlorn.

Proposition 12. Sure means of increasing the population.

The sure means is to improve the people's lot. Under a wise prince, idleness is odious and ought not to be allowed to enjoy its unjust peace. Idleness corrupts good habits and encourages mischief. It also produces beggars, another race that ought to be banished from a well-run kingdom, as we are reminded by the law: "And there shall be no poor nor beggar among you" (Deuteronomy 15:4). One should not include beggars among the citizens, because they are a charge upon the state, they and their children. To

suppress begging one must find a way to relieve poverty. Above all it is necessary to take care of marriages, to make the raising of children easy and pleasant, and to oppose illicit unions. The faithfulness, sanctity and happiness of marriage is a public interest and a source of happiness for the state.

Absolute Monarchy on Trial

3. A Royal Tongue-Lashing (Excerpts from the Official Transcript of the "Session of the Scourging," 3 March 1766)

The Parlement of Paris was the foremost of thirteen regional high courts in France, composed of magistrates who held purchasable offices conferring nobility. As law courts, the parlements gave force of law to royal edicts by registering them and applying them in judicial decisions. As guardians of the laws, they also had the right (and the responsibility) to submit remonstrances counseling the king concerning the legality of the edicts sent them for registration. The king, in turn, had the power to overrule parliamentary objections, insisting on the registration of edicts in a special session known as a *lit de justice*.

Theoretically, a *lit de justice* brought the legislative process to an end. But in practice the parlements could continue opposition to royal policies of which they disapproved—falling back, in the last resort, on such tactics as the judicial strike (to which the crown could respond by the tactic of exiling the parliamentary magistrates from the seat of their jurisdiction). Thus the legal and judicial functions of the parlements could be translated into a political challenge to the royal authority. In the 1750s and 1760s, conflict between the crown and the parlements became particularly acute, with the various parlements drawing together in a common movement of opposition under the leadership of the Parlement of Paris. This common action, among bodies that were strictly speaking quite separate, was justified in terms of an argument known as the *doctrine des classes*: the claim that the separate parlements were individual parts (or *classes*) of a single body, representative of the whole nation. Louis XV excoriated this doctrine in a special session of the Paris parlement on 3 March 1766, known as the *séance de la flagellation* ("session